

REMARKS

Receipt of the Office Action of May 24, 2010 is gratefully acknowledged.

This application has been examined with the following results: claims 25 - 28, 30 - 32 and 34 are rejected under 35 USC 112, first paragraph because the recitations in these claims are not "in the specification;" Claims 19 and 21 are rejected under 35 USC 112, second paragraph because they recite a "Trademark name.....[which] is subject to change anytime;" claims 18 - 20, 22 - 23 and 33 are rejected under 35 USC 103(a) over Langels et al in view of Krivoshein; claim 21 is rejected under 35 USC 103(a) over Langels et al in view of Krivoshein and further in view of Larson et al; claims 24 - 32 are rejected under 35 USC 103(a) over Langels et al in view of Krivoshein and further in view of Cook et al; and claim 34 is rejected under 35 USC 103(a) OVER Langels et al in view of Krivoshein in view of Cook and further in view of Van.

With respect to the rejection under 35 USC 112, first paragraph, the specification has been amended to include the subject matter of claims 25 - 28, 30 -32 and 34 to thereby provide support in the specification for what is claimed in these claims. The noted subject matter was always recited in the claims as originally filed so that new matter is not being introduced into the application. As to the sufficiency of the disclosure contained in these claims, it is respectfully submitted that the subject matter is known to those skilled in the art.

With respect to the rejection under 35 USC 112, second paragraph because of the reference to trademarks, it should be noted that the noted trademarks are well know, as is the structure they refer to. As to the fact that the structure may change, that does not present a problem, as the constitution of the structure as of the filing date of the application is all that is covered not future changes in the structure covered by the trademarks.

As to the art rejections, they are believed to now be moot in view of the amendment to claim 18. The present amendment to claim 18 distinguishes the invention over the art of record, and in particular the major reference included in all of the noted rejections under 35 USC 103.

Langels et al suggests a transmitting function for transmitting relevant data between technology modules over separate line terminals (col 3, lines 63 - 65 and col. 3, line 67 to col. 4, line 2). This type of transmission, however, requires an additional I/O terminal (reference sign 47, 50 of Langels et al). With the present invention, and in particular the amendment to claim 18, there is no need for a second I/O unit. The transmission of digital signals between the measurement transmitters and the control system can be accomplished by the additional communication connection that is arranged between the two communication lines of the two measurement devices (therefore not requiring an additional I/O unit). It should also be noted that over the additional communication connection, only digital signals are transmitted, thereby making the current measured values of the first measurement transmitter M1 permanently available to the second measurement transmitter M2, (see page 6 of the present specification).

The distinction noted above is not, it is respectfully submitted, to be found in any of the references applied in the noted rejections.

Accordingly, and in view of the foregoing, reconsideration and reexamination are respectfully requested and claims 18 - 34 now found allowable.

Respectfully submitted,
BACON & THOMAS, PLLC

Date: June 1, 2006



Felix J. D'Ambrosio
Attorney for Applicant

Registration Number 25,721

Customer Number *23364*
BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314
Telephone: (703) 683-0500
Facsimile: (703) 683-1080

S:\Producer\jfd\CLIENTS\Endress+Hauser Holding GmbH\BORS3002-FL0220\Prelim Amend.wpd